

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	
)	No. 3:21-CR-127-KAC-DCP
BRANDY M. THORNTON,)	
ROBERTA LYNN WEBB-ALLEN,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case is before the Court on Defendant Webb-Allen's Motion to Continue Trial and Extend Pretrial Deadlines [Doc. 21], filed on November 4, 2021, and Defendant Thornton's Motion to Continue [Doc. 22], filed on November 10, 2022. Defendant Thornton states in her motion that she concurs with and adopts Defendant Webb-Allen's motion. Both Defendants ask the Court to continue the December 14, 2021 trial date and to reset the associated deadlines because counsel need additional time to complete their review of discovery—including a review of some evidence that may still be forthcoming. The motions relate that Defendants understand all time is excludable under the Speedy Trial Act and that the Government does not oppose the requested continuances. The parties have conferred with Chambers and agreed on a new trial date of May 3, 2022.

The Court finds Defendant Webb-Allen's Motion to Continue Trial and Extend Pretrial Deadlines [Doc. 21] and Defendant Thornton's Motion to Continue [Doc. 22] are unopposed by the Government and well-taken. The Court also finds that the ends of justice served by granting a

continuance outweigh the interests of the Defendants and the public in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Based upon the representations in the motions, defense counsel need additional time to complete their review of discovery in this matter. Thus, the Court concludes that without a continuance, defense counsel would not have the reasonable time necessary to prepare for trial, even proceeding with due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

The Motion to Continue Trial and Extend Pretrial Deadlines [**Doc. 21**] and the Motion to Continue [Doc. 22] are **GRANTED**. The trial of this case is reset to **May 3, 2022**. The Court finds that all the time between the filing of the first motion on November 4, 2021, and the new trial date of May 3, 2022, is fully excludable time under the Speedy Trial Act for the reasons set forth herein. *See* 18 U.S.C. § 3161(h)(1)(D) & -(7)(A)-(B). The Court also set a new schedule in this case, which is stated in detail below.

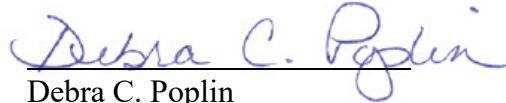
Accordingly, it is **ORDERED** as follows:

- (1) Defendant Webb-Allen's Motion to Continue Trial and Extend Pretrial Deadlines [**Doc. 21**] and Defendant Thornton's Motion to Continue [**Doc. 22**] are **GRANTED**;
- (2) The trial of this matter is reset to commence on **May 3, 2022, at 9:00 a.m.**, before the Honorable Katherine A. Crytzer, United States District Judge;
- (3) All time between the filing of the first motion on **November 4, 2021**, and the new trial date of **May 3, 2022**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) The new deadline for filing pretrial motions is **January 28, 2022**, and responses will be due **February 11, 2022**.
- (5) The new deadline for filing a plea agreement in the record and providing reciprocal discovery is **April 4, 2022**;
- (6) The parties are to appear before the undersigned for a final pretrial conference on **April 11, 2022, at 10:30 a.m.**;
- (7) The deadline for filing motions *in limine* is **April 18, 2022**; and

- (8) Requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4. shall be filed on or before **April 22, 2022.**

IT IS SO ORDERED.

ENTER:



Debra C. Poplin
United States Magistrate Judge